

## MINUTES

### NATURAL RESOURCES COMMISSION

COMFORT INN AND CONFERENCE CENTER  
613 E. LAKESHORE DRIVE (US-2)  
MANISTIQUE

AUGUST 10, 2006

#### PRESENT FOR THE COMMISSION

Keith Charters, Chair  
Bob Garner, Vice-Chair  
Mary Brown  
Darnell Earley  
John Madigan  
Frank Wheatlake

#### ABSENT FOR THE COMMISSION

Jerry Hall

#### PRESENT FOR STAFF

Becky Humphries, Director  
Dennis Fedewa, Chief Deputy  
Mindy Koch, Resource Management Deputy  
Jim Ekdahl, UP Field Deputy  
Other DNR Staff

### COMMITTEE OF THE WHOLE

**Chairman Charters** called the Committee of the Whole meeting of the NRC to order at 3:35 p.m.

**Sheila Aldrich, City Manager, City of Manistique, and Mike Powers, Chair of the Recreation Board, City of Manistique**, welcomed the NRC and Staff to Manistique. They said they are working closely with Staff on local projects and thanked the NRC and the Michigan Natural Resources Trust Fund Board for grants that assisted the City in developing local projects such as a boardwalk. **Commissioner Garner**, also a Michigan Natural Resources Trust Fund Board member, noted that six of the top 10 Trust Fund grants went to the Upper Peninsula (UP).

**Chairman Charters** recognized State Representative Tom Casperson and thanked him for his assistance with DNR issues in the Legislature.

#### Director's Action Items:

**Director Humphries** indicated that she will not take action on the proposed "Antlerless Deer License Fees".

**Commissioner Madigan** was pleased to see Deer Range Improvement Funds (DRIP) funds going to sites in the western UP.

### **Draft State Forest Management Plan Update**

**Lynne Boyd, Chief, Forest, Mineral and Fire Management Division (FMFM)**, said the draft State Forest Management Plan was released for public comment on July 24, 2006 and open for comment through August 31, 2006. This draft has been extensively public noticed, the draft was downloaded to compact discs (CDs) and hundreds of copies have been distributed. Public and stakeholder meetings will be held prior to August 31. Comments will be logged, categorized and responded to. **Chairman Charters** requested that the invitees to the stakeholders' meeting consist of a very broad representation.

### **Western Forest Fires**

**Lynne Boyd** reported that the western United States fire situation is at level 5, meaning there is a critical shortage of resources. In Michigan, FMFM has been handling Michigan fire issues first. However, once the national level reaches 5, states are obligated to assist through a reciprocal program that has been established. Reversely, if Michigan is in need, other states will also help. Currently, Michigan has 13 priority trainee positions and will utilize fighting fires in the west as training. **Ms. Boyd** noted that compartment review staff and forestry planners are not being sent to assist. This year, the number of forest fires in Michigan is down considerably.

### **30<sup>th</sup> Year Anniversary of Gillette Visitor's Center**

**Director Humphries** reported that on Saturday, August 12, she, DNR parks and recreation officials, community leaders from the Muskegon area and special invited guests will honor the 30<sup>th</sup> anniversary of the dedication of the E. Genevieve Gillette Sand Dune Visitor Center at P.J. Hoffmaster State Park. She noted that E. Genevieve Gillette, often referred to as "Miss Michigan State Parks", was one of the most successful citizen activists in her generation. In May, she was one of the first 12 inductees to be honored for the Michigan Walk of Fame, located in downtown Lansing, which honors Michigan residents, past or present, who have made significant contributions to the state or nation.

### **Budget Update**

**Chairman Charters** reviewed a Fiscal Year 2007 Budget summary provided by Dennis Fedewa, Chief Deputy, as presented to Governor Granholm on August 2. A summary of the budget and highlights prior to any line item vetoes follows: General Fund: \$25,269,600; Restricted Funds: \$222,779,300; Federal Funds: \$43,464,300; for a total of \$291,513,200. Of the \$25 million in General Fund \$13 million is for payment-in-lieu-of-taxes (PILT). **Commissioner Wheatlake** noted that previously, the DNR got approximately \$50 million in general funds each year. Now it is less than half at approximately \$25 million and is now more reliant on user fees. That is a very small portion of Michigan's annual revenue totaling nearly \$40 billion. **Commissioner Garner** noted that approximately \$1.08 per capita in Michigan goes to DNR.

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**Director Humphries** urged the NRC to review the monthly report provided by Carol Bambery.

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**Director Humphries** reported that on August 9, 2006, a preliminary injunction was granted to the Humane Society prohibiting the lethal taking of depredating wolves in Wisconsin. There is concern that the same will occur in Michigan. The process by the U.S. Fish and Wildlife Service to delist wolves continues.

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The Committee of the Whole meeting adjourned at 4:20 p.m.

The Public Appearances portion of the meeting of the Natural Resources Commission convened at 4:20 p.m.

**PUBLIC APPEARANCES**

Dale McNamee, UP Sportsman's Alliance  
Patrick Ruzs, Michigan Wildlife Conservancy  
Dennis Fijalkowski, Michigan Wildlife Conservancy  
Mike Zuidema, Retired DNR Forester  
Goerge Lindquist, UP Whitetails of Marquette County  
Cynthia Pryor, Yellow Dog Watershed Preserve, Inc.  
Bud Dankers, Citizens Waterfowl Advisory Committee  
John Ormsbee, Afton Deer Mangement  
Bryan Reynolds, UP Sportsman's Alliance  
Gary Zimmer, Ruffed Grouse Society  
John Hongisto, Deerton  
Mark Eby  
Chauncy Moran  
Frank Ewalt, Menominee  
Doug Schueneman, Alger County Fish and Game Alliance  
Robert Gifford, Rapid River  
Rich Bowman, Michigan Council of Trout Unlimited  
Tom Barnes, Michigan Association of Timbermen  
Pete Mackin, Candidate for 38<sup>th</sup> District Senate  
Gray Fischer, Friends of the West Mullett Trail  
Clyde Thoun, Menominee County Pheasant Club  
John LaPlant, Marinette, Wisconsin  
Mike Blavat, Marinette, Wisconsin  
Dan McDonough, Manistique

**Chairman Charters and the NRC** welcomed Representative Tom Casperson and thanked him for dedicating the day to the NRC and DNR by attending the meeting.

**Dale McNamee, UP Sportsman's Alliance**, said he is encouraged by interactions and meetings with DNR staff on various issues as well as the potential for additional wildlife habitat in the western UP. He thanked Commissioners Madigan, Wheatlake and Charters for their positive votes on the "one-buck in the UP" issue, though it did not pass.

**Patrick Ruzs, Michigan Wildlife Conservancy**, provided information on a study and the resulting scientific paper that he co-authored titled, "Detection and classification of Cougars in Michigan Using Low Copy DNR Sources." The study indicates that of 297 droppings were tested in the springs of 2001, 2002, and 2003 collected from 12 areas of Michigan that had histories of cougar sightings. From these droppings, 10 DNA profiles identified as being from cougars. He recommended that the DNR lead a formal investigation of the status of cougars in this state as a first step to end the controversy, and to proceed with protecting the cougar – an endangered species.

**Dennis Fijalkowski, Michigan Wildlife Conservancy**, claims that the DNR is ignoring evidence that cougars exist in Michigan and asked that the cougar be protected under the Endangered Species Act.

**Mike Zuidema, Retired DNR Forester**, asked that the DNR support his belief that there is a cougar population in Michigan.

**Commissioner Wheatlake** asked what it was that Dr. Rusz, Mr. Fijalkowski and Mr. Zuidema wanted from the NRC and DNR on this issue. Mr. Fijalskowski responded that they want the Endangered Species Act followed and the cougars protected.

**Commissioner Garner** noted that the DNR, in February 2005, issued a press release verifying that hair samples from a vehicle bumper in Menominee County were from a cougar. However, he is not convinced there is a breeding population of cougars in Michigan. Discussion ensued.

**Commissioner Madigan** said he has spoken to many long-time woodsmen who were asked if they believed there is a breeding population of cougars in the UP. They do not believe so, or they would have seen them.

**Chairman Charters** believes the DNR is doing a good job in following the Endangered Species Act relative to cougars. Discussion ensued. Additional discussion on this issue will be held during the NRC Policy Committee on Wildlife and Fisheries meeting on October 5.

**George Lindquist, UP Whitetails of Marquette County**, thanked the NRC for reinstating supplemental deer feeding along Lake Superior and thanked Commissioners Charters, Madigan and Wheatlake for their positive votes on the one buck in the UP proposal. He suggested that pressure needs to be reduced on bucks and said antler limits are still a viable option.

**Cynthia Pryor, Yellow Dog Watershed Preserve, Inc.**, is concerned that public access in the UP is diminishing. She referenced the latest draft of the new metallic minerals lease document where it states that Michigan "lets" all rights to the mineral and surface rights to industrial development. She asked that the DNR plan public meetings in the UP to review and discuss the draft metallic minerals lease and the use of the surface rights.

#### **PARTNERS IN CONSERVATION AWARD PRESENTATION – TIM KOBASIC**

**Director Becky Humphries** presented the Partners in Conservation Award to Tim Kobasic of Escanaba, in recognition of his leadership in natural resource issues in the UP and across the state of Michigan. She said that

Tim is a professional communicator and advocate of natural resources management. He produces and hosts the highly regarded weekly radio program, UP Trails and Tales. Tim also writes weekly newspaper columns, most notably in the Escanaba Daily Press, where he concentrates on educating the public about key resource issues.

He has worked diligently with the NRC's UP Wildlife Habitat Work Group, chaired by Commission Madigan, and has been instrumental in the efforts made by this committee to acquire land for deer range improvement in key areas of the UP.

Tim also leads the DNR's State Forest Compartment Review Committee, designed to increase public input into this significant aspect of DNR decision-making.

Most recently, Tim has been a steadfast champion of the newly enacted legislation that allows earlier youth involvement in Michigan's proud hunting heritage.

Along these same lines, he devotes hundreds of hours training young people in all-terrain-vehicle and hunter safety education, creating untold numbers of new conservation stewards.

As a special note, Tim is also an Emergency Medical Technician in the Delta County area. Recently he was involved in helping stabilize and transport one of our DNR employees who suffered a heart attack. Tim not only performed his medical obligations, but also notified DNR

staff of the emergency situation and kept us apprised of our employee, who I'm happy to report is doing just fine. This is yet another example of Tim's care and compassion.

**Director Humphries** presented **Tim Kobasic** with a white pine plaque for his tireless dedication and selfless contributions to Michigan's natural resources. His efforts have helped protect our natural heritage for generations to come.

**Mr. Kobasic**, said that, in November 2005, UP Whitetails recognized Chairman Keith Charters for his efforts in chairing the NRC. He said he wants to be part of the legacy of the DNR. He commended the NRC and staff for their leadership. He noted that Delta County has processed about 70 individuals through hunter safety training, with a goal of approximately 200.

#### **PUBLIC APPEARANCES (continued)**

**Bud Dankers, Citizens Waterfowl Advisory Committee (CWAC)**, said the proposed waterfowl hunting regulations were not going to please everyone, but believes they are a good compromise. Parties at the CWAC meeting agreed on the proposed regulations.

**John Ormsbee, Afton Deer Management**, commended DNR staff in the Indian River office and said he appreciates the work they do. He said the number of hunters in Cheboygan County is decreasing and also agrees that something must be done about the deer population in the UP. Mr. Ormsbee reviewed his habitat planting to date.

**Bryan Reynolds, UP Sportsman's Alliance**, was seeking support on changing deer hunting in Michigan by first getting the Legislature out of the decision-making process of determining how many deer can be taken. He said that the Legislator's role should be to determine that a hunting license needs to be issued. He believes that having a blanket policy for buck hunting in the state is bad policy. He suggested having one buck tag for the entire state. Then, if there is an area where more bucks need to be harvested, issue more for that area.

**Gary Zimmer, Ruffed Grouse Society**, stated that the Ruffed Grouse Society will appeal the 2006 Hiawatha National Forest Plan. He encouraged the NRC to contact the US Forest Service and do the same. He said that the Plan for nearly 900,000 acres of federal forest does not adequately address the habitat needs of game species, and that the selected revision alternative significantly reduces recreational hunting opportunities on the forest. The Society has also addressed this issue with their Congressmen.

**John Hongisto, Deerton**, commented on the bobcat lawsuit decision of the circuit court stating that, until the appeal is decided, the only fair thing to do would be to close the bobcat season in the Lower Peninsula until the matter is resolved.

**Mark Eby, representing himself**, does not support a one-buck proposal in the UP and suggested keeping a two buck limit. He said that less than 5 percent of hunters take a second buck. He also recommended more timber cutting in the UP to improve deer habitat; supports the Landowner Incentive Program (LIP) and the Deer Range Improvement Program (DRIP); and believes the cormorant control methods in the UP are working.

**Chauncy Moran** requested that the presence of endangered and unique species of flora and fauna, such as the Kirtland's warbler and coaster brook trout, in Marquette County be considered as land use issues are being decided in the area. He believes these unique species bring many visitors to the UP each year from all over the world and is hopeful that the developing jack pine in the area will bring back the population of Kirtland's warblers.

**Frank Ewalt, Menominee**, presented a signed petition in support of changing predator regulations to allow using a center fire rifle for night-time coyote hunting on private land. The signators believe that, in the UP, the 22 caliber rim fire is inadequate to take coyotes humanely. **Commissioner Garner** recommended Mr. Ewalt address this issue with Law Enforcement Division.

**Doug Scheuneman, Alger County Fish and Game Alliance**, recommended the DNR purchase land that the UP Power Company may purchase. If the DNR does not purchase it, he believes it would significantly negatively impact hunting in the areas. He wants to keep refuge that provides waterfowl hunting and viewing opportunities. It also provides good small game and deer hunting beginning on November 11. **Commissioner Garner** recommended that applications be made to the Michigan Natural Resources Trust Fund for purchase. Mr. Scheuneman also mentioned that the Alliance and other organizations will be submitting turkey regulation proposals.

**Robert Gifford, Rapid River**, stated that a boat launch was built on the east side of Little Bay de noc on a channel to allow access to Bay de noc. However, the water levels are too low to allow boats to launch at the site. He recommended that the channel be dredged to create an appropriate depth for boats to access it. **Jim Ekdahl** stated that this was built with Parks and Recreation funds when the water levels were higher. As the water levels lowered, there funding was not appropriated to perform the dredging.

**Rich Bowman, Executive Director, Michigan Council of Trout Unlimited**, reported that on Saturday, July 28, a major fish kill occurred Kent County related to storms and runoff of nonpoint source pollution. An investigation is ongoing to determine the source of the pollution. This issue will be discussed at a future meeting of the NRC Policy Committee on Wildlife and Fisheries. The Directors of the DNR and Department of Environmental Quality intend to meet to discuss this issue.

**Tom Barnes, Michigan Association of Timbermen**, requested NRC support to help halt and prevent Emerald Ash Borer quarantine areas in Michigan. He does not believe that the timber industry had input on the decision to develop quarantine areas. His understanding was that areas outside the 22 southern Michigan core counties cannot move a regulated article from county to county without a bill of lading and a compliance agreement in place for the location where it is being taken. Hardwood chips and hardwood bark greater than 1 inch on two sides is also now considered a regulated product. This will be a major hindrance in the industry. **Director Humphries** noted that the DNR and Department of Agriculture will be meeting on this issue in the near future.

He also stated that the Michigan Association of Timbermen will become an intervener on some appeals in the Hiawatha National Forest Plan and asked that the DNR also intervene.

**Pete Mackin, Candidate for 38<sup>th</sup> District Senate**, said one reason he is running for office is a disconnect between some local and state governments on issues such as mining. He supports the creation of a committee or commission to address issues, as well as consider the possibility of utilizing college students to do some of the research.

**Gray Fischer, Friends of the West Mullett Trail**, said he was appalled that the Mullett Lake portion of the Cheboygan to Gaylord Trail was opened to snowmobiles. **Chairman Charters** noted that there was, and still is, trespassing on that stretch of the trail. One of the options for this stretch was to sell the property and that the snowmobilers would have had a chance to purchase it. **Commissioner Garner** noted that a motion was previously made to the Michigan Natural Resources Trust Fund Board to remove the “no snowmobiles” deed restriction from the Mullett Lake stretch.

**Clyde Thoun, Menominee County Pheasant Club**, discussed the following issues:

- The Pheasant Club is working on changing the pheasant hunting season to begin at 10 a.m. Eastern Standard Time;
- Would like increased bear licenses the Carney Bear Management Unit in Menominee County. They believe this would increase license sales without negatively impacting the bear population;
- He asked that someone address the outbreak of Gypsy moth in on the Menominee River near Elk Rapids.
- The Pheasant Club supports a one-buck-per-season regulation for the UP.

**John LaPlant and Mike Blavat, Marinette, Wisconsin**, requested that the NRC consider allowing Wisconsin residents to shoot a coyote on private land in the UP. **Director Humphries** said she intends to discuss this with her counterpart in Wisconsin and will determine who the decision maker is on this issue.

**Dan McDonough, Manistique**, has hunted in Alaska and believes Michigan should secure hunting and trapping methods for wolves. He recommended that the trapping organizations should be involved in the wolf roundtable and that individuals should participate that have no affiliation with other organizations.

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The Public Appearances portion of the meeting adjourned at 6:47 p.m. and the Regular Meeting of the NRC convened at 6:47 p.m.

#### **APPROVAL OF MINUTES – JULY 6, 2006 NATURAL RESOURCES COMMISSION MEETING**

Commissioner Garner made a motion, supported by Commissioner Madigan, for approval. Motion unanimously carried.

#### **2007 MEETING NATURAL RESOURCES COMMISSION MEETING SCHEDULE**

Commissioner Garner made a motion, supported by Commissioner Brown, for approval of the following dates for the 2007 Natural Resources Commission meetings:

January 11  
February 8  
March 8  
April 12  
May 10  
June 7  
July 12  
August 16 - Escanaba Area (State Fair)  
September 13  
October 11  
November 8  
December 6

Motion unanimously carried.

**WATERFOWL AND OTHER MIGRATORY BIRD HUNTING REGULATIONS FOR 2006-2007,  
WILDLIFE CONSERVATION ORDER, AMENDMENT NO. 15 OF 2006**

Commissioner Garner made a motion, supported by Commissioner Madigan, for approval. Motion unanimously carried.

**AGE OF YOUTH HUNTERS, WILDLIFE CONSERVATION ORDER, AMENDMENT NO. 16 OF 2006**

Commissioner Garner made a motion, supported by Commission Madigan, to approve Wildlife Conservation Order, Amendment No. 16 of 2006.

Commissioner Garner made a motion, supported by Commissioner Madigan, to amend the proposed Wildlife Conservation Order, Amendment No. 16 of 2006 by removing Section 5.81. Motion unanimously carried.

Commissioner Garner made a motion, supported by Commission Madigan, to approve Wildlife Conservation Order, Amendment No. 16 of 2006 as amended. Motion unanimously carried.

**DIRECTOR ACTION**

Director Humphries stated her intent to approve all Director's Action items on the agenda except the Antlerless Deer License Fees.

**COMMITTEE REPORTS**

**NRC Policy Committee on Land Management**

The NRC Policy Committee on Land Management met at 12:00 noon on Thursday, August 10, 2006. Commissioners Charters and Brown were present for the Committee. Commissioners Garner, Early, Madigan and Wheatlake were also present. (Minutes are attached)

**NRC Policy Committee on Wildlife And Fisheries**

The NRC Policy Committee on Wildlife and Fisheries met at 1:30 p.m. on Thursday, August 10, 2006. Commissioners Garner and Madigan were present for the Committee. Commissioners Brown, Charters, Earley and Wheatlake were also present. (Minutes are attached)

**COMMISSIONER REPORTS**

Commissioner Garner reported that a Michigan Natural Resources Trust Fund 30<sup>th</sup> Anniversary Celebration was held in Traverse City on July 18. Chairman Charters and Commissioner Garner were in attendance. Commissioner Garner said it was a wonderful event. Chairman Charters noted that Commissioner Garner did a fine job emceeding the event.

Commissioner Earley said that, as part of the past Arbor Day celebration, the City of Saginaw applied for "Tree City USA Status", recognized by the National Arbor Day Foundation. A bald cypress tree was planted on the lawn at city hall which is predicted to grow to over 50 feet. Also in recognition of the City of Saginaw's new arboreal consciousness, a flag designated by the National Arbor Day Foundation will fly over city hall as well as eight traffic signs at major



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entrances to the city. This effort was undertaken by the city's Department of Public Works in order to raise awareness of the value of trees as a natural resource. In addition, the intent is to further grant efforts toward more meaningful urban forestry programming. The City of Saginaw, in partnership with Global Relief of Michigan, begun a tree inventory in areas of the city and hopefully will identify areas more susceptible to pestilence and natural disorder.

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The meeting adjourned at 7:00 p.m

**NRC Policy Committee on Land Management  
Minutes  
August 10, 2006  
12:00 noon**

**Present:**

Commissioner Keith Charters, Chair  
Commissioner Mary Brown  
Commissioner John Madigan  
Commissioner Darnell Earley  
Commissioner Bob Garner  
Commissioner Frank Wheatlake  
Representative Tom Casperson  
Rich Bowman, Trout Unlimited  
Bryan Reynolds, U.P. Sportsmen Alliance  
Don Reed, Michigan Sportsmen Alliance  
Ken Scott, Michigan Sportsmen Alliance  
George Lindquist, MUCC, U.P. Whitetails  
Bill Malloch, U.P. Whitetails  
Jim Duke, Snowmobile Advisory Committee  
Bill Manson, Snowmobile Advisory Committee  
Brian Callaghan, Inland Lake Snowmobile Assoc.  
Bob Ulrich, Inland Lake Snowmobile Assoc.  
Jeff Comps, Indian River Chamber of Commerce  
Cynthia Pryor, Yellow Dog Watershed Preserve  
Chauncey Moran, Yellow Dog Watershed Preserve  
Jim DeClerck, Saginaw Field and Stream Club  
Bob Gwizdz, sports writer  
John Ormsbee, Afton Deer Management  
Erin McDonough, MUCC  
Doug Scheuneman, Michigan Association of Timbermen  
Tom Barnes, MI Association of Timbermen  
Warren Suchovsky, MI Association of Timbermen  
Gary Zimmer, Ruffed Grouse Society  
Director Rebecca Humphries  
Chief Deputy Dennis Fedewa  
Resource Management Deputy Mindy Koch  
DNR Staff

**Chairman Keith Charters** called the meeting to order at 12:04 p.m.

**1. Cheboygan to Gaylord Trail**

**Deputy Mindy Koch** explained that there is a memo on the NRC Agenda today, for information only, with Director's action in September, including an Order to open the Mullett Lake segment of the Cheboygan to Gaylord trail for snowmobile use.

**Deputy Koch** displayed a large map showing this portion of the trail along Mullett Lake, and gave the following background information.

The Cheboygan to Gaylord trail is 47 miles of railroad corridor beginning just north of Gaylord and joins the Mackinaw to Alpena trail within the City of Cheboygan. Approximately 11 miles of that trail is along Mullett Lake.

In July 1997, the Natural Resources Trust Fund (MNRTF) Board approved a \$6 million grant for acquisition of the trail in six payments. \$500,000 came from the Transportation Endowment Act. When the MNRTF Board approved that \$6 million grant for acquisition of the trail, it was contingent upon that 11 miles along Mullett Lake being designated as a non-motorized trail, including a prohibition on snowmobiling. That prohibition had to be placed in a land use order.

On September 10, 1998, the Director issued a Land use Order prohibiting all motorized use of the Mullett Lake section of the trail.

The Department testified during the Trust Fund Board's grant review process that the State would seek alternative routes for snowmobiles in an attempt to provide new snowmobiling opportunities in the area.

The Department, in collaboration with the Michigan Department of Transportation, the Snowmobile Advisory Council, local snowmobile clubs, as well as a diverse workgroup, have proposed and reviewed at least ten alternative snowmobile routes.

**STATUS—Where are we at today?**

Due to the difficulty in finding a new snowmobile trail in this area, the DNR requested that the MNRTF Board remove the non-motorized grant restrictions on the Mullett Lake segment of the trail at the June 2006 MNRTF Board meeting. The Board approved removal of the restrictions.

**The DNR held a Public Meeting on** August 2 in Indian River to begin the public input process on placing potential use restrictions that relate to snowmobiling on this segment of the Gaylord to Cheboygan trail. There were approximately 200 people in attendance, with 30 of them speaking at the meeting.

Included in the NRC packet is the draft land use order removing the restrictions, but you won't see any additional restrictions to be incorporate in the amended Land Use Order. The reason for that is we wanted to receive public input for those additional restrictions.

There has been a lot of public debate on safety concerns along this segment. There are 14 county road crossings, eight private road crossings, and 12 private driveway crossings, serving numerous property owners.

There was fairly consistent agreement on the need for a speed limit, anywhere from 15 to 45 mph.

Most speakers supporting snowmobile use did not want to limit hours of operation and provided some fairly good safety reasons why that was not appropriate. A curfew would push snowmobile users onto the lake or to M27.

Speakers not supporting snowmobiling on the trail suggested hours of operation ranging from dawn to dusk, or 8 a.m. to 9 p.m.

Some other suggested restrictions including limiting snowmobile use on the trail from December to the end of March. We currently have a grooming season that is December to the end of March, so we probably do not need a use restriction.

The need for additional enforcement on this trail was supported by almost everyone, at least initially to set a compliance standard.

A sunset provision was recommended by several speakers after a review. Both sides suggested this, but for different reasons, such as to remove the restrictions versus to remove snowmobiling.

After reviewing the public comment and staff recommendations, the DNR is recommending the following restrictions, for Director's action in September:

- A 35 mph speed limit; this issue has also been reviewed by the State Police
- Staff recommended there be no limit to hours of operation, but with much public input, we are suggesting 7 a.m. to midnight. However, grooming and enforcement can happen 24-hours per day.
- The DNR recommends two years, at a minimum, of enhanced enforcement in this area.
- This could be done by additional grant money offered to local government for enforcement, and extra hours in the local DNR officers' work plans.
- An evaluation after the 2007-2008 snowmobile season (the end March 2008).

The evaluation would include, but not limited to complaints, accidents, and legal action taken.

Other needs will probably include split rail fencing in some areas to limit access to private property, and possibly additional safety needs at one or two road crossings.

There is a wetlands issue the DNR is working on with the DEQ to resolve. The DNR is also determining how fast a club can provide appropriate signing. The trespasses will have to be physically removed. This amended Land Use Order will be on the September 7 NRC agenda for Director's Action.

**Commissioner Wheatlake** asked about giving additional grant money to local governments. **Deputy Koch** clarified that if they choose to increase their enforcement activities, we want to provide them with additional grant money to do that. Cheboygan County currently receives a grant for enforcement.

**Bill Manson** commended the department for the action they are taking on this trail segment.

## 2. Donor and Sponsorship Recognition Policy

**Chief Deputy Fedewa** gave a PowerPoint presentation, with highlights as follows:

The current policy has been in existence since 1978, and discourages recognizing individuals or private-sector partners, and it does not relate well to today's opportunity or need to diversify funding.

Our new approach would identify donation opportunities, identify private-sector partnership opportunities, plan for the management of unsolicited donations, sponsorships, and partnerships, and determine limitations and procedures.

For donation opportunities, we would identify facilities, activities, programs and events for which opportunities exist, such as park furniture, fishing piers, shooting ranges, visitor centers, pavilions, shower buildings, interpretive centers, etc.

There has to be a differentiation between the types of funding offered and the type of recognition received. They would put out a wish list, perhaps on the web, through press releases, or a printed donor guide.

Partnership opportunities are very similar to the donor opportunities, and could include archery shooting competitions, trail, bike, and running races, beach volleyball tournaments, etc. It would be important to emphasize screening for potential conflicts in partnerships. Partnerships would require written agreements.

The third type is unsolicited opportunities. We have to be open to ideas that the department hasn't thought of. The DNR would need to inform the public of any offer in order to ensure transparency, and offer the opportunity on a competitive basis to establish fair market value. These would also require written agreements.

One limitation would require that no name of donor or partner be attached to rivers, lakes or streams; historic sites or structures; forests, waterfalls or geological features; land with a current name that reflects the resource; or lands and facilities previously named in recognition of an individual. Another limitation is that no facilities or areas within a land holding named in recognition of a donor or partner will incorporate or be subordinate to the existing name.

The DNR will not offer retroactive recognition, due to the new broader policy.

The next step is to develop and present a draft policy, allow for public comment, and final policy approval.

**Chairman Charters** clarified that the MNRTF Board dropped its prohibition on naming recognition. **Chief Deputy Fedewa** hopes to have a final DNR policy in place by the end of the year.

### 3. **Hiawatha National Forest Plan**

**Lynne Boyd, Chief of the Forest, Mineral and Fire Management Division (FMFM)** explained that concerns have been expressed regarding this plan. **Mike Paluda, U.P. Field Coordinator for FMFM**, will explain what the DNR's comments were on the plan, and if they were incorporated into the final plan.

**Mike** explained that at the last meeting, the issue of aspen acreage in Michigan, specifically in the National Forest system, and management of streams and riparian zones as they relate to aspen and beaver were raised. He was asked to address both the letter from Dave Borgeson, President, Michigan Resource Stewards, and the DNR comments on the Hiawatha National Forest Plan submitted to the Hiawatha National Forest in June 2005. Mike developed the following response with the assistance of the Eastern UP Ecosystem Team located in Newberry, which is comprised of core members representing all DNR resource divisions.

"First, it is important to understand the nature of the aspen resource in Michigan. The extent of the aspen/birch forest type has increased from less than one percent in pre-settlement time to over 16 percent of the forested landscape today, or approximately three million acres. The resource has its roots in the extensive areas of the state that were logged and/or burned in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries; only a small fraction of the three million acres existed before then.

To a large degree, contemporary management practices have perpetuated the aspen forest type; otherwise we would have much less aspen than we do now. The number of acres has been declining since 1935, reflecting natural succession to more diverse late-successional forest types.

This modern decline of aspen/birch forests has major consequences for hunting interests that have become accustomed to higher populations of game species that are adapted to and have thrived in this habitat, including grouse, woodcock, and white tailed deer. If the proportion of aspen/birch forest continues to decline, it is probable that populations of these game species will also decline. This also has significant ramifications for the timber industry which currently relies upon aspen as a major source of pulpwood.

Following is the three major points in the letter to the Director and NRC from Michigan Resource Stewards:

1. MDNR persists in its reticence to change its Best Management Practices to reduce or eliminate a long standing bias toward old growth in riparian buffer zones.

We appreciate this compliment. The DNR believes and follows the Michigan BMP Guidelines (Water Quality Management Practices on Forest Lands) for management in riparian zones. These guidelines state minimum distances from stream courses ranging from 100 to 175 feet, depending on slope, in which vegetation management is to place priority on filtering water flow that reaches the stream. We believe this is the correct and proper management direction, which includes the ability of professional staff to modify treatments and remove forest products from within this zone. I would also like to add that Michigan's Wildlife Action Plan is in sync with the DNR Policy and guidelines and contains the following statement:

"Encourage use of, maintain, or establish riparian buffers of at least 50 ft., but 500 ft. or wider maximizes conservation benefits (altered hydrologic regimes, altered sediment loads, thermal changes, riparian modification, forestry practices)."

2. These policies are rooted in the Fisheries Division's narrow concerns for the short-term impacts of beaver on trout and in their much too universal advocacy of the benefits of "large woody debris" in trout streams. While the beaver explosion of the 1980s was, in fact, broadly damaging to trout streams for a decade or more and there are still locales where they are causing short-term damage, the long-term impacts of beaver, many of which are beneficial, have been largely ignored in Fish Division and MDNR policy.

The DNR developed and approved Policy 39.20-21 Beaver Management in April 2001. This policy recognizes the potential for beaver to negatively impact high quality trout water and emphasizes the identification of high quality trout water where aggressive beaver control will be desirable. That process is handled by the Eco-Region teams, where for example in the EUP, that process has been implemented within the past year. Disagreements on designation of various streams were worked out between Ecoteam members and the list now generated. I would emphasize that this list of streams where aggressive beaver control will be in place was determined by the Ecoteam, with a focus on ecosystem management.

3. *The recent pendulum swing toward advocacy of more "large woody debris" in Michigan's trout streams, like all such professional fads, has gone too far unchecked.*

The DNR strongly believes and is actively managing Michigan's high quality streams to assure that large, quality, woody debris is present for the variety of benefits to the stream ecosystem. We believe that is the appropriate management direction and will continue to actively pursue related objectives, for example we are currently working with the Huron Manistee National Forest and have moved and placed whole trees by helicopter from offsite in to the AuSable River. The affects of those placements are now being studied.

Finally, let's take a look at the USFS, Hiawatha Plan, the DNR comments to the Forest Supervisor last June, and the manner with which those issues were dealt in the final plan. There are nine basic recommendations and I will touch on them one by one:

1. **Management for late seral species such as white pine and eastern hemlock through planting, silvicultural manipulation, and succession are important in winter deer range management as dominant cover types as well as viable components within northern hardwood stands. Increasing the hemlock habitat acreage should be emphasized wherever appropriate conditions warrant. This is particularly important in MA's where management for thermal cover and browse juxtaposition should be emphasized.**

The Hiawatha selected preferred alternative (Alternative 2), which increases mature lowland conifer/mixed hardwood acreage.

2. **The certain alteration of forest composition or complete extirpation of tree species posed by Beech Bark Disease, Oak Wilt, and Emerald Ash Borer is not adequately addressed.**

This issue was not specifically addressed in the Forest Plan, although the Plan does mention working with State and other interests as specific threats materialize.

3. **Early seral species aspen and birch habitats are predicted to decline sharply across the forest in alternative 2. This declining availability of shade intolerant deciduous forest types will have significant impacts on populations of associated forest wildlife. American woodcock is probably the most important game species to be negatively impacted by the loss of aspen habitat. Since 1968, woodcock singing-ground surveys in Michigan have indicated a downward trend of 1.7 percent per year. It is widely believed that habitat loss is the primary reason for this decline. Other species that may suffer population declines due to habitat loss include snowshoe hare, white-tailed deer, black bear, moose, gray wolf, ruffed grouse, goshawk, chestnut-sided warbler, and Nashville warbler. Acreages of managed aspen or birch on suited lands should be continued at current levels (above the predicted levels) if it is desirable to maintain habitat for the species above.**

The Record of Decision notes the final plan was revised slightly to increase the minimum aspen goals to those "similar" to the 1986 plan. The Record of

Decision states “This change results in a prediction of approximately 9% (76,400 acres) of the Forest in aspen at year 100. This is about a 7,500 acre increase in the amount predicted for the preferred alternative in the DEIS.” However, this is still a drastic decrease from the present aspen acreage (105,000 acres) in the HNF.

The Department requested that aspen and birch acreage should be continued at the present levels. Current aspen and birch acreage is the minimum of this type needed to address the requirements of many species important to hunters and bird watchers. This reduction may result in a significant reduction in the recreational value of these lands, which may have implications on the local economy. This will also place additional pressure on state forest and privately owned lands to be managed to provide additional early successional acreage.

4. **We support the proposed change to minimize aspen regeneration within 500 feet of high-priority trout streams for riparian zone management. This proposal is consistent with the Department's recently revised beaver management policy (Department Procedure 2120.1), and recognizes that the less common resource (i.e., coldwater habitat) is given management priority when the opportunity exists. The Department does not take issue with selective cutting within the riparian area, however we discourage large-scale management for early successional tree species within the 300 ft riparian zone near small (< 50 ft wide), high-quality trout streams.**

The plan did address this issue through an established 500 ft. zone along coldwater stream systems tributaries and spring ponds where aspen regeneration would now be prescribed. However, the proposed standard of 500 ft. that appears in the plan applies to 504 miles of coldwater streams of the 1780 miles of all streams in the Forest. DNR recommendations supported this standard for high-quality trout streams only, which is reflected in the Plan. Following DNR recommendations does support significantly more aspen management in riparian zones while still maintaining high-quality trout streams.

5. **The Hiawatha National Forest in the eastern and central UP does not currently contain any State designated Natural Rivers. However, it does contain five federally designated Wild and Scenic Rivers with proposals for adding an additional five segments (Sturgeon, Whitefish, Indian, East Branch of the Tahquamenon, and the Carp). We encourage the completion of the studies for designating these additional river segments.**

DNR stands by this recommendation. Of the five river systems recommended, four are still “study” rivers. We believe the Indian River deserves addition to this group.

6. **The Department is concerned with the potential control and designated use of inland lakes by the USFS that are not totally surrounded by USFS land. Michigan law recognizes the right of riparians to certain uses, including boating, and these rights attach to the entire surface of a lake may be adversely impacted by restrictions on those rights. Additionally, the State of Michigan has regulatory authority over all waters within the territorial boundaries of the State under Part 801,**



**Marine Safety, of the Natural Resources and Environmental Protection Act. Therefore, any use and access restrictions must comply with State law.**

DNR is satisfied that the Forest Plan adequately addresses this issue.

7. **The intent to make all roads “closed unless posted open” is a concern to both OHV and snowmobile users. This is a reversal from the past and may create animosity from recreational users. Many snowmobile users use un-plowed roads on the HNF in conjunction with the designated trail system for short day or weekend trips. Posting the roads closed may eliminate recreation from this area of the forest. In addition, the preferred alternative would also prohibit cross-country travel for snowmobiles. This becomes an issue where there is a break in the designated trail system, such as at Whitefish River in the Rapid River area. This is also an issue of “similar management,” where the Department objects to this new policy application in the Upper Peninsula, preferring that the USFS off road travel policy reflect the same approach as utilized by the Department for both snowmobiles and OHV. In as many ways as is possible, travel and utilization of the State and National Forests should be seamless to users.**

The Department of Natural Resources understands the decision to enact a "closed unless designated (authorized) open" policy for ORV travel to reduce user conflicts and provide a consistent policy for ORV use across all national forests. The Department supports increased snowmobile and ORV route development focusing on creating loops and connections between existing roads, trails, and facilities. The Hiawatha did modify the DRAFT Plan, and we are pleased with the decision to allow cross-country snowmobile use to continue.

8. **For local forest economies it is necessary to actually produce the plan's harvest goals. To emphasize concern for local forest economies, language could be inserted stressing the need to adhere to the harvest plan to prevent damage to the local economy.**

The Hiawatha significantly raised their Allowable Sale Quantity (ASQ), from 70 million board feet in their former plan to 109 million board feet in the new plan. Throughout the 1990s, the Forest tended to achieve a higher level of their ASQ than many other National Forests, but in more recent years, their achievement fell off. Also, as noted in #3, the Hiawatha's Final Plan did increase minimum aspen goals.

9. **The Department appreciates the attention and commitment to protection of Michigan's forests as addressed in the proposed Hiawatha National Forest Plan. The priorities and goals identified for risk reduction, especially in wildland/urban interface areas, is outstanding. However, the stated goal “natural fires are allowed to occur within prescribed parameters...” gives the State of Michigan cause for concern. We would encourage the Hiawatha National Forest to closely coordinate any such plans with Department fire staff.**

Such language in fact does appear in the final plan, and the USFS and DNR do coordinate on wildfire matters as often as is practical.

**Chairman Charters** asked why they have a goal of cutting so much, but only meet 28 percent. **Mike Paluda** stated that FMFM looks at how many acres are available and

target 100 percent of that. The actual number that results on timber sale proposals usually is up to 10 percent less than that due to actual stand boundaries. The U.S. Forest Service only targets 45 percent of the total available. Then what was actually accomplished was 28 percent. **Lynne Boyd** stated that there is a lack of funding resources to put the timber up for harvest and that is why FMFM can only target 45 percent of what is available.

**Commissioner Brown** asked what would happen if the Hiawatha Plan was put on the shelf and they did nothing – no treatment or harvesting for the next 100 years. **Mike Paluda** stated that there would be a lot less aspen and jack pine. **Deputy Koch** noted that it would have a huge impact on the state forest timber harvests because the DNR would lose our markets.

**Representative Casperson** asked about differences in the state process from the federal process to put timber up for sale. **Deputy Koch** stated that the DNR does not have the problem with appeals that the federal government does. That appeal process increases the federal cost of timber sales significantly.

#### 4. **Buffer Zones - Discussion**

**Lynne Boyd** introduced **Deb Begalle** to discuss aesthetic considerations for timber harvesting.

The process involves a field inventory, compartment review, and sale prep. One tenth of the state land is inventoried per year. The prescription is a description of what is going to be done and how. Maps and proposed treatments are posted on the internet and mailings are sent out. An open house is held to give the public an opportunity to ask questions and provide comments. The process takes about 18 months to get to sale prep.

Things considered are best management practices, timber, wildlife, biodiversity, fisheries, recreation, and aesthetics.

During sales preparation, lines are painted, trees are marked, volume and value are estimated, the proposal and sale specs are written, and the pre-timber sale checklist is completed.

Prior to certification, a Visual management Form is completed. This form has 29 questions devoted to aesthetics. The form covers unique features, water quality, forest health, etc.

The options for aesthetics include buffers, leaving trees such as all the oak for all the conifers, leaving patches or islands, irregular sale boundary, and reducing slash/stump heights.

Considerations are timber type, health of the forest, meeting objectives, future options, indirect impacts, and adjacent land use or users.

**Deb Begalle** showed examples of different types of buffers through photos. One option doesn't fit all situations; there are several values to consider including biological, social, and economic.

\* \* \*

**Chairman Charters** adjourned the meeting at 1:40 p.m.

**NRC POLICY COMMITTEE ON WILDLIFE AND FISHERIES**  
**Minutes**  
**AUGUST 10, 2006**  
**1:30 P.M.**

**Western UP Mesic Conifer Initiative**

**Monica Joseph, Wildlife Division**, is the field coordinator for this initiative. Monica explained the significance of Mesic Conifers: importance to deer as winter thermal cover; enable deer to disperse across the landscape, which causes less impact on forest regeneration; and provides cover, travel corridors, and food throughout the year. Mesic conifers have declined in the past 150 years. Previously, they covered about 50% of the landscape. Today, mesic conifers represent only 7% of State Forest Land. Plus, it takes extra effort to regenerate this species. This project is a collaborative effort between Wildlife and FMFM. Interim State Forest management guidelines emphasize mesic conifers. The Initiative's goal is to increase mesic conifers by 100% over the next 20 years on State Forest lands. The initiative hopes to have 13% of the State forest in the WUP to be Mesic Conifers. Between 2004 and 2006, there will be 2,089 acres planted. Planting goals include planting 1.5 million trees from 2007-2010.

**UP Landowner Incentive Program (LIP)**

**Kevin Swanson, Wildlife Division**, provided an update on the LIP program within the WUP. The program focuses on private land. Fifty percent of the UP is in private ownership. Kevin highlighted some of the large projects: 1.1 million trees planted on 3,984 acres; 54 properties visited; and 49 natural resource plans written

**Deer Range Improvement Program**

**Bill Scullon, Wildlife Division**, presented an update on DRIP. The program was created in 1971 by Public Act 106. The funding is restricted and \$1.50 comes from each deer license. DRIP was created for improving and maintaining deer habitat, buying land, and also for payment of taxes on those lands. Bill discussed the activities that DRIP supports and outlined the DRIP coordinator's role. This program creates protection mechanisms (deer yard acquisitions initiative and partnerships). DRIP also supports the Mesic Conifer Initiative. DRIP is here to conserve 'critical' lands in deer yard complexes in the UP and northern LP. Since late 2002, \$5.8 million has been spent in the UP on DRIP.

**USDA Final Rule – Privately Owned Cervids (POC)**

**Bill Moritz, Wildlife Division**, USDA published a final rule on importation of POC, which is effective on Oct. 19, 2006. This rule establishes a federal certification program for interstate movement of POC herds; States currently have more restrictive guidelines than this final rule. Michigan DOES NOT allow the importation of live captive cervids and very restrictive on how to bring in venison. This rule says USDA will supersede authority. Michigan is looking at our options and hopes USDA will reopen the rule and look for public comment. This is very important to Michigan and the possible CWD importation.

**Waterfowl and Migratory Bird Regulations**

**Faye McNew, Wildlife Division**, discussed the proposed waterfowl dates and bag limits. This is a joint recommendation between CWAC and DNR. She explained the background of the waterfowl migration patterns and population estimates.

**New Hunting Opportunities**

**Michael Bailey, Wildlife Division**, outlined the two new bills that were recently passed into legislation. Public Act 282 of 2006 created a new apprentice license. No amendments to the Wildlife Conservation Order required. It does require a report in 2008 of the effects of the new law. Public Act 280 of 2006 lowers minimum hunting license age to 10. However, you must be 12 to hunt bear, deer and elk and can only do that on private land.

Commission action was to amend the Wildlife Conservation Order to address minimum age for applications.

**Antlerless Deer License Fees** – Director Humphries pulled this action item. She will be not eliminating the discount on antlerless license fees at this time. This item will be considered as part of the hunting and fishing license package as it is developed.

The meeting adjourned at 3:15 p.m.